

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MONSANTO COMPANY and)	
)	
MONSANTO TECHNOLOGY LLC,)	
)	
Plaintiffs,)	
)	
vs.)	Cause No. 4:10-cv-2249 CEJ
)	
ZEFERINO SAUCEDA,)	
)	
Defendant.)	

PLAINTIFFS' RESPONSE TO COURT ORDER

On April 6, 2012, the Parties mediated this case, and came to an agreement in principal with the understanding that Monsanto would conduct some additional, limited, third-party discovery – one deposition and one third party subpoena. The deposition was completed on April 24, 2012. The third-party subpoena was served on April 30, 2012. The subpoena-recipient has requested until May 16th to respond or object to the subpoena. Monsanto believes that subpoena was narrowly tailored to determine/confirm the full scope of the infringement of Monsanto's patents. But, if the third party subpoena-recipient serves objections under Rule 45(c), Monsanto will need additional time to obtain that discovery before completing settlement and filing a dismissal. Monsanto submits this response to the Court not for the purpose of delay, but to notify the Court that the Parties may need additional time to complete its discovery and dismissal. Should additional time be necessary to complete discovery beyond May 21, 2012, Monsanto will advise the Court and request additional time to complete the settlement and dismissal.

Respectfully submitted,

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By/s/ Daniel C. Cox

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Monsanto Technology LLC*

CERTIFICATE OF SERVICE

I certify that on this the 7th day of May 2012, the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system upon the following:

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